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SEP 7 - 2007

Remarks

A phone interview, prior to formulation of an Office Action, is requested.

This amendment is responsive to the Office Action of June 7, 2007 and the Advisory Action of August 24, 2007. Original claim 1 has been split into claim 1 (driven by fuel) and claim 7 (driven by cathode exhaust). Claims 1-4 and 7-10 are present for consideration.

An RCE and a Rule 132 Declaration are provided herewith.

First a comment on the statement in paragraph (0020) of Keefer. The statement is correct if interpreted to mean "a fuel depleted gas stream recirculated to a compressor of a turbine system". Otherwise, it is incorrect. The fuel-enriched gas stream (0108) in conduit 275 goes through check valve 277 and is mixed with the natural gas feedstock of conduit 230 and delivered by conduit 231, through desulfurizer and pre-reformer 232 (0098) to anode inlet 216. The fuel-enriched gas does not go to a turbine or a compressor in any embodiment (Figs. 6-14).

The fuel-depleted gas (0107 – conduit 266 is not labeled except in Fig. 13) is fed to compressor 270 in Figs. 6-12. It is fed to an unrelated auxiliary 670 in Fig. 13, and to the combustor 206 in Fig. 14.

Thus, neither fuel-enhanced nor fuel-depleted gas drives any turbine, as called for in claim 1 herein.

The Declaration of Michael L. Perry herewith establishes that he conceived the turbocompressor of this application. Therefore, US 2005/0164069 is disqualified as a reference against this application.

Now, the issue with respect to claim 1 and Keefer. The fuel recycle in Keefer (0105) is pumped by compressor 244, which is rotated (a) by turbine 240 driven by anode exhaust in Figs. 6-10, 13 and 14, as well as turbine 242 in Figs. 6 and 7, and (b) by a Stirling cycle (0125) heated by anode exhaust in Figs. 11 and 12. The recycle impeller 244 is driven by anode exhaust in all cases. Therefore, compressor 244 is not driven by either (i) cathode exhaust or (ii) a source of hydrogen-rich fuel gas.

Claim 1 and claim 7 (lines 10-12) require "an impeller...for pumping partially depleted fuel to said fuel flow field inlets...comprising a compressor of a turbocompressor...a turbine of which is driven by..." etc. Claim 1 requires the turbine be "driven by said source of hydrogen rich fuel gas." Claim 7 requires the turbine be "driven by "oxidant...flowing from said oxidant flow field outlets." Keefer does not disclose or suggest driving a recycle pump by fuel or by cathode exhaust.

The Response filed August 15, 2007 is incorporated herein by reference.

Therefore, reexamination of amended claims 1 and 7 and allowance of claims 1-4 and 7-10 is respectfully requested.

To save the Examiner considerable time when this case is taken up, a short phone call is recommended should any issue herein still be unresolved. A few minutes on the phone could clarify a point, or result in a supplemental response which would further limit or dispose of issues. A five minute phone call can save the Examiner a lot of work. Such a phone call would be deeply appreciated.

Respectfully submitted,



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